

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

Civil Action No. 10-cv-01832-DME

STEVAN DITTMER,

Plaintiff,

v.

DEUTSCHE BANK NATIONAL TRUST,

Defendant.

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**ORDER DENYING MOTIONS FOR RESTRAINING ORDER & ORDERING  
PLAINTIFF TO SHOW CAUSE WHY CLAIMS SHOULD NOT BE DISMISSED**

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On August 4, 2010, this Court denied Plaintiff's motions for a temporary restraining order and preliminary injunction for failing to provide notice to Defendant. Plaintiff has essentially refiled those same motions, still without providing notice to Defendant. For the same reasons given by this Court in its order of August 4, 2010 [Doc. No. 7], Plaintiff's motions [Docs. No. 10 and 11] are DENIED. Plaintiff is hereby admonished that continuing to refile the same motion without complying with the notice provisions outlined by the Federal Rules of Civil Procedure and as explained by this Court in its order of August 4, 2010 may result in the imposition of sanctions.

In addition, despite Plaintiff's representations to this court that his property is being foreclosed upon by means of a nonjudicial foreclosure (see, e.g., Doc. No. 12 at 2), he has attached to his most recent filing a state court order authorizing the sale of his property, filed in the state district court in El Paso County, Colorado. This court is therefore concerned that it may lack jurisdiction to consider this action under the Rooker-Feldman and Younger abstention

doctrines. See DCR Fund I, LLC v. TS Family Ltd. P'ship, 261 Fed. Appx. 139, 145-46 (10th Cir. 2008) (“We . . . fail to see how any claims challenging a state foreclosure sale that the state court allowed to proceed could pass muster under either the Younger abstention or Rooker-Feldman doctrines.”). Plaintiff is therefore ORDERED to show cause as to why this action should not be dismissed in light of those doctrines by filing, within fourteen days, a memorandum explaining why this action does not run afoul of those doctrines.

Dated this 11th day of August, 2010.

BY THE COURT:

*s/ David M. Ebel*

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U. S. CIRCUIT COURT JUDGE